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13 LAUREATE EDUCATION, INC.

14 UNITED STATES DISTRICT COURT
15
16 NORTHERN DISTRICT OF CALIFORNIA
17
18 SAN JOSE DIVISION

19 LAUREATE EDUCATION, INC.,
20 a Maryland corporation,

21 Plaintiff,

22 v.

23 TEACHSCAPE, INC., a Delaware corporation

24 Defendant.

Case No.: C 07-3225 RS

**PLAINTIFF LAUREATE
EDUCATION, INC.'S REQUEST
FOR JUDICIAL NOTICE**

Judge: The Honorable Richard Seeborg

Ctrm.: 4 (5th floor)

Date: March 19, 2008

Time: 9:30 a.m.

1 Plaintiff Laureate Education, Inc. (“Laureate”) seeks judicial notice of the following
 2 court records pertinent to the Court’s adjudication in *Cinebase Software, Inc. v. Media*
 3 *Guar. Trust, Inc.*, No. C 98-1100 FMS, 1998 WL 661465 (N.D. Cal. Sept. 22, 1998). In
 4 particular, judicial notice of the following records are sought:

5 Exhibit A: First Amended Complaint For Injunctive Relief and Damages; Demand for Jury
 6 Trial [Dkt. No. 30], filed July 10, 1998;

7 Exhibit B: Defendant’s Motion to Dismiss Cinebase’s First and Second Causes of Action in
 8 Its First Amended Complaint, to Dismiss the First Amended Complaint, to
 9 Dismiss Defendant Katherine Topper from This Lawsuit, to Dismiss Cinebase’s
 10 Third, Fourth, Fifth, and Eleventh Causes of Action and, to Strike Portions of
 11 Cinebase’s Ninth Cause of Action [Dkt. No. 32], filed July 13, 1998;

12 Exhibit C: Plaintiff’s Opposition to Defendant’s Motion to Dismiss and to Strike
 13 [Dkt. No. 52], filed August 10, 1998;

14 Exhibit D: Notice of Errata Re: First Amended Complaint for Injunctive Relief and
 15 Damages [Dkt. No. 53], filed August 10, 1998;

16 Exhibit E: Defendants’ Reply Brief In Support of Their Motion to Dismiss and to Strike
 17 Plaintiff’s First Amended Complaint [Dkt. No. 56], filed August 17, 1998;

18 Exhibit F: Transcript of Proceedings on August 26, 1998 [Dkt. No. 66], filed
 19 October 15, 1998;

20 Exhibit G: Order Granting in Part and Denying in Part Defendant’ Motion to Dismiss;
 21 Denying Plaintiff’s Motion for Preliminary Injunction [Dkt. No. 65], filed
 22 September 22, 1998 (and published online at 1998 WL 661465).

23 Because this briefing, transcript, and order forms the basis of the Court’s legal reasoning in
 24 *Cinebase*, their consideration is proper. They “have relevance to legal reasoning and the
 25 lawmaking process, whether in the formulation of a legal principle or ruling by a judge or
 26 court or in the enactment of a legislative body.” Fed. R. Evid. 201 *committee notes* (1972).

27 Dated: February 27, 2008

Respectfully submitted,

HELLER EHRMAN LLP

By /s/ DANIEL N. KASSABIAN

Attorneys for Plaintiff

LAUREATE EDUCATION, INC.